

Article - Labor and Employment

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§3–715.

(a) Except as prohibited by federal law, a provision in an employment contract, policy, or agreement that waives any substantive or procedural right or remedy to a claim that accrues in the future of sexual harassment or retaliation for reporting or asserting a right or remedy based on sexual harassment is null and void as being against the public policy of the State.

(b) (1) An employer may not take adverse action against an employee because the employee fails or refuses to enter into an agreement that contains a waiver that is void under subsection (a) of this section.

(2) Adverse action prohibited under this subsection includes:

(i) discharge;

(ii) suspension;

(iii) demotion;

(iv) discrimination in the terms, conditions, or privileges of employment; or

(v) any other retaliatory action that results in a change to the terms or conditions of employment that would dissuade a reasonable employee from making a complaint, bringing an action, or testifying in an action regarding a violation of this section.

(c) An employer who enforces or attempts to enforce a provision that violates subsection (a) of this section shall be liable for the employee's reasonable attorney's fees and costs.

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